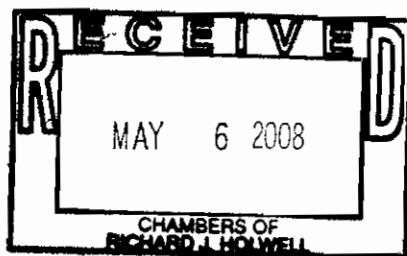


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May 6, 2008

VIA FACSIMILE

The Hon. Richard J. Holwell
United States District Court - Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Altria Group, Inc. v. United States*, No. 08-CIV-3144 (RJH)

Dear Judge Holwell:

We are counsel for the Plaintiff in this newly-filed case. As the Court may recall, this case is related to a pending case before Your Honor (No. 06-9430), involving the same parties and some of the same transactions. The parties have recently completed briefing of cross-motions for summary judgment in Case No. 06-9430.

On April 22, the Court faxed to Plaintiff an Initial Scheduling Conference Notice and Order in the new case, No. 08-3144. In response, the parties conferred as directed and have agreed that it would be most efficient to defer entering any scheduling order until after the Court rules on the parties' cross-motions for summary judgment in No. 06-9430, since that ruling is likely to substantially impact the resolution of the claims made in No. 08-3144. Such a course of action is likely to save the parties and the Court the time and expense of unnecessary pre-trial activities and discovery. Accordingly, the parties jointly request that the Court enter an order directing the parties to submit a proposed scheduling order 30 days after the Court enters its rulings on the parties' cross-motions for summary judgment in No. 06-9430, and adjourning the scheduling conference currently set for May 16, 2008 at 10 a.m. to a later date.

Respectfully submitted,

Daniel H. Schlueter
Daniel H. Schlueter

cc: David Kennedy, Esq.
Robert Yalen, Esq.
Kent Jones, Esq.

SO ORDERED

D. J. Holwell